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OFFICE OF PETITIONS

In re Application of:
Kapur, et al.
Application No. 09/624,131
Filed: July 21, 2000
Attorney Docket No. 97,223-I

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DECISION ON PETITION

This is a decision on the reconsideration petition, filed January 17, 2006, under 37 CFR 1.182 to substitute the terminal disclaimer filed on September 27, 2005 for the terminal disclaimer filed on April 2, 2003.

The petition under 37 CFR 1.182 that the USPTO accept a "replacement" Terminal Disclaimer is **granted**.

Petitioners request that the Office accept a corrected terminal disclaimer to replace the April 2, 2003 terminal disclaimer. Petitioners note that the corrected terminal disclaimer provides the same disclaimer. However, the April 2, 2003 terminal disclaimer inadvertently listed Cellomics, Inc. as the owner of the above-identified application and patent no. 6,416,959, while the owner of both the above-identified application and the patent at the time was Carl Zeiss Jena GmbH. Therefore, the April 2, 2003 terminal disclaimer contained a crucial error. On August 30, 2005, the rights to the above-identified application and patent no. 6,416,959 were assigned back to Cellomics, Inc..

The acceptance of the terminal disclaimer filed on September 27, 2005 is granted. The April 2, 2003 terminal disclaimer has been "closed" in the electronic application file.

After the mailing of this decision, the application will be returned to Technology Center A.U. 1641.

Telephone inquiries concerning this matter may be directed to the undersigned at (571)272-3230.

A handwritten signature in black ink, appearing to read "E. Shirene Willis". The signature is written in a cursive, flowing style.

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions